S.B.Cr.Misc. Bail Appli. No.5566/2007
(Laxmi Narayan Vs. State of Rajasthan)

Date of order : November 16, 2007

HON'BLE MR.H.R.PANWAR,J.

Mr.Nand Kishore, for the petitioner.
Mr.Ashok Upadhyaya, P.P. for the State.

Heard learned counsel for the petitioner and the Public Prosecutor for the State. Perused the order impugned.

It appears that the petitioner was released on bail by the trial court, however, he misused the liberty of bail and jumped the bail. He did not appear before the trial court and thereafter, the trial court issued bailable warrant. Even after issuing of bailable warrant when the petitioner did not appear before the trial court, the trial court issued the non-bailable warrant against the petitioner.

In Jagtar Singh Vs.Satendra Kaur alias Bhavana Grover & Ors., 2002 Cr.L.R. (SC) 807, the Hon'ble Supreme Court has held that when the accused is declared absconder, normally he is not entitled for anticipatory bail or regular bail.

In this view of the matter, in my view, it is not a fit case to grant anticipatory bail to the petitioner.

The bail application filed by the petitioner under section 438 Cr.P.C. is, therefore, dismissed.

(H.R.PANWAR),J.

m.asif/-